

REMARKS

Applicant respectfully requests reconsideration of this application. Claims 1-17 are currently pending, with claims 18-24 being withdrawn.

Claims 1-17 have been amended. Claim 18 have been cancelled. No claims have been added.

Therefore, claims 1-17, are now presented for examination, with claim 18-24 withdrawn.

Withdrawn Claims

The Examiner has advised the Applicant all withdrawn claims to expedite prosecution of the application.

Applicant has determined that the withdrawn claims should not be cancelled at this time. The cancellation of the withdrawn claims at this time would not provide any advantage in examination because such claims are not in consideration and thus can have no effect on the examination process. Further, there are instances in which it is appropriate for withdrawn claims to be reinstated, and cancellation of the claims complicates such reinstatement.

For such reason, the withdrawn claims 19-24 will not be cancelled until the remaining claims in this application have been allowed, or in connection with the filing of a divisional application. However, claim 18, which was previously dependent on claim 1, has been cancelled.

Claim Rejections under 35 U.S.C. §112

The Examiner has rejected Claims 1-17 under 35 USC §12, first paragraph, as allegedly failing to comply with the written description requirement. The Office Action

alleges that the claims contain subject matter that was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors at the time the application was filed had possession of the claimed invention.

The Office Action specifically indicates the following:

The claimed features of having “a grant generator for selecting a switching request to be granted” and having “the preference pointer provides a control signal to the BRRT cells” contain subject matter which has not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. To be more specific, it is “grant generator for selecting service request signals”, and “the preference pointer provide control signals to each of the BRRT cells” according to the detailed description of Figures 15 and 16A on pages 40-42.

With regard to the grant generator, the specification describes an embodiment of the grant generator in a crossbar switch. As such, the generator may be utilized in switching service selection. (See, e.g., Specification, p. 8, lines 6-13) While it is not necessary to use the precise language of the specification in the claims, the language has been modified to refer to a grant generator for switching service selection, which utilizes terminology provided in the specification.

With regard to the preference pointer, while the description speaks generally of “control signals” to each of the BRRT cells, the application further describes control signal ‘Cntr[I]’ as shown in Figure 19. (Specification, p. 42, lines 9-10) (See also, Specification, p. 49, lines 10-11) There is also an embodiment illustrated in Table 3, showing each control signal that may be used. To clarify the language, the claim has

been amended to refer to indicate that “said preference pointer is to provide one or more control signals to each of the BRRT cells.”

It is submitted that the claims, as amended, are fully supported by the specification of the present application and comply with the written description requirement of 35 USC §112, first paragraph.

Claim Rejections under 35 U.S.C. §112

The Examiner has rejected Claims 1-17 under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention.

Addressing the alleged issues provided in the Office Action in order:

In claim 1, lines 1-2, it is confusing for reciting ‘a grant generator for selecting a switching request to be granted’ as in the preamble since a grant generator is to generate a grant for a switching request, not to select a switching request to be granted.

As indicated above, the grant generator operates in switch service selection, as provided in the specification. Claim 1 has been amended accordingly.

Lines 3-5, it is vague and indefinite to recite a structure of BRRT cells and a preference pointer without further define as to how the structure of BRRT cells is formed and how the preference point is controlling the structure.

It is not clear what is meant by “formed” in the rejection. A definition of how the structure is “formed” would appear to be a description of a method of constructing or forming an apparatus, this is not the subject of the current claims. However, if the

rejection is meant to mean that further definition is required regarding the structure of BRRT cells, claim 1 has been amended to provide additional detail regarding the structure.

To be more specific, it is unclear how the individual cells are connected to one another forming the structure.

It is not necessary as a matter of law for a claim to indicate all aspects of structure if the claim meets the requirements of 35 USC §112 and other legal requirements. In particular, there is no need to indicate how individual BRRT cells are connected to each other if it is understood what the structure is and that the structure is comprised of BRRT cells. The connections may vary in different embodiments.

However, without any concession regarding the rejection, claim 1 has been amended to provide further detail regarding the connection of individual cells.

The Office Action further states:

It is also unclear as to what and where the inputs and outputs are for each cell.

Without any concession regarding the substance of the amendment, further detail regarding the inputs and outputs of the cells has been provided in the claims.

The Office Action states the following with regard to the preference pointer:

It is unclear as to how the preference point is controlling the structure of the BRRT cells by providing a control signal.

Without any concession regarding the substance of the amendment, further detail regarding the interrelation of the preference pointer and the BRRT cells has been provided.

It is submitted that the claims, as amended, point out and distinctly claim the subject matter of the claimed embodiments of the invention in compliance with 35 USC §112, second paragraph.

Examination of Application

Applicant respectfully submits that the rejections provided in the Office Action have been fully met, and that the application should now be fully examined.

Conclusion

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (503) 439-8778 if there remains any issue with allowance of the case.

Request for an Extension of Time if Needed

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be needed. Please charge any fee to our Deposit Account No. 02-2666.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: August 14, 2008 /*Mark C. Van Ness*/
Mark C. Van Ness
Reg. No. 39,865

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(503) 439-8778